

A New War.

We referred recently to a remarkable incident which had just been found by a grand jury in a court in West Virginia—namely, the indictment of a Federal soldier for murder: the murder consisting of a killing which he claimed to have done in the discharge of his duty as a soldier. (This, however, is denied.) The New York Herald of Monday contains a long and highly interesting history of this affair, from which it would appear that the war of the "rebellion" is about to be renewed in Marion county, the scene of the indictment. If the case goes on, it will raise new questions as to the right of the Federal Government to interfere with the course of justice in the several States; for even if this be a persecution for political or partisan reasons, and therefore wholly unjustifiable, it is nevertheless a violation of the constitutional power of the Federal Government to superintend the State courts, and tell them whom to try and whom to discharge from custody. It would be a strange commentary upon the inability of the Electoral Commission to correct the grossest frauds in the presidential election in the States for the Supreme Court of the United States to assert its claim to a right to supervise the courts of justice of all the States in the Union.

The West Virginia case is this:—James B. Lee was noted during the war as a Confederate in active though secret sympathy with the Confederate forces. For this reason Major Showalter, officer in command of a detachment of the Sixth West Virginia volunteers, stationed at Cranford, ordered him arrested. This order was issued through Lieutenant Freeman, and was executed by two privates, Thompson and Watson. The arrest of Lee took place in his field, on the 18th of June, 1863. There was no bloodshed or resistance. The Lieutenant, prisoner and two soldiers were in the house, all living within an area of three or four miles, in the vicinity of Farmington, Marion county. The prisoner was conducted to the house of Lieutenant Freeman, where the four of them together and talked over the charges against Mr. Lee. After this conversation the Lieutenant permitted the prisoner to go free, but for some unaccountable reason almost immediately afterwards ordered his arrest. Thompson was detailed to perform this service, and in doing so he killed him, who refused to halt, but fled when ordered to do so. Watson, the other man, fired the shot which killed him. Thompson admits the shooting, and pleads justification under the head of obedience to military orders.

Evidence having lately been discovered that this killing was premeditated, Thompson was indicted for murder, and was arrested and held to bail. A woman was involved in the affair. One Henderson STEWART wrote to FREEMAN (now dead) to have Lee killed as an enemy to the Union, his real motive being, however, that Lee was a rival of his. Thompson, it must be said, was arrested years ago and taken before a justice, who discharged him—without discharge, however, could not prevent his indictment.

The worst feature of the affair is the intense bitterness of feeling that has been aroused between the old soldiers of the two armies, the people of that region being pretty equally divided in their sympathies. The ex-soldiers of the Federal army have arranged for an encampment of two days at Farmington, where the indictment was found. General KELLY, who had control of the Federal forces in Northwest Virginia during the war, has declared his intention to protect the soldiers of his old command at all hazards—"by force, if necessary." This is a serious threat. It is that a United States military officer will overawe the courts of a sovereign State. This will never do. Whether the prosecution of Thompson be justifiable or unjustifiable; whether Lee was lawfully or unlawfully killed; General KELLY certainly has no right to interfere in the matter. And if the court at Farmington does its duty, KELLY will see the inside of a jail very soon after he reaches that place.

These troubles are to be deprecated. If we had our way, Thompson would at once be discharged. We do not think it wise to reopen the wounds of the war. Nevertheless, when it comes to Federal interference with the courts of a State—whether the interference be by a General KELLY or a Judge BOXP or UNDERWOOD—we shall always espouse the cause of the State. It was a heinous crime to punish a soldier for obeying the orders of his superior officer, (it is denied that Thompson acted under orders), but it was a much greater crime against liberty and humanity to allow the myriads of the Administration at Washington to oversee the courts of the several States.

THE SPEAKERSHIP.—The Philadelphia Times of Monday says:—"Congressman Walker, of Virginia, now in California, was interviewed by a San Francisco reporter the other day. It was not a very important interview, as he learned from the speaker that Mr. Randall will not be elected Speaker, that Mr. Morrison is depending upon his friends, that Mr. Walker will not be a candidate, and that Mr. Cox has a good show and will make a big fight."

Governor WALKER does well not to allow his name to be used against Mr. RANDALL. Some others of the southern members would do well to follow his example. They would not lose anything, and would save their reputations for sagacity. But his prediction that COX will make a good run will not be verified, we hope and predict. Cox lacks earnestness—a characteristic never wanting in great men. So he is not a great man, and not fit to be Speaker. Either RANDALL will be Speaker again, or there will be a new deal all around. PASSES has not abandoned all hope.

E. S. GREGORY, Esq., has resigned his position as editor of the Petersburg Appeal. Inasmuch as it is stated that he proposes to "devote his life and talents" to a higher and nobler service, we infer that he will enter another profession. If he can succeed in another as well as he has in the editorial profession, he is a man of most versatile talents. He has a cultivated taste, much ready wit, great command of language, and a good imagination. Whether he becomes a lawyer, or a doctor, or a preacher, he has both natural talent and acquired qualifications for the duties of the position. We bid him godspeed in his new vocation.

New Books.—A Sunday-School Music-Book, by Rev. ROBERT LOWRY, W. HOWARD DOANE, and L. D. SANKER. Including the last hymns and music of the late P. P. Bliss.

This book has been long expected, and competent judges pronounce it the best yet published.

For sale by JOSHUA RYLAND & Co., The Wine-Bibbers Temperance Society, Boston: LEE & SHEPARD, 1877.

This little book is dedicated "to unemployed

temperance-men, to moderate drinkers, to hotel-keepers, saloon-keepers, and bar-keepers, as well as to the faithful who have signed the pledge." We suppose it is not very valuable.

For sale by J. T. ELLISON.

Abroad Again; or, A Fresh Foray in Foreign Lands. By CURTIS GUILD, editor, &c. Boston: LEE & SHEPARD, 1877.

A glance at this book satisfies us that it is a very interesting book of travels. The author obtained his information outside of guide-books. He tells what everybody would like to know.

For sale by J. T. ELLISON.

[For the Monitor.]

Canal or Railroad.

In your paper of Monday morning I observed a local reporter "hopes" to observe Mr. Johnston, recently elected president of the James River and Kanawha Company and of the Buchanan and Clifton-Forge Railroad Company, and to lead him to the important work of having a very considerable interest in the terminus of the canal, and being a citizen of Richmond withal, I beg to be allowed to express a contrary hope, and to say that the greater the ability of Mr. Johnston—and I concede a good deal to him—the greater, if he takes the work in hand, and completes the railroad, will be the detriment to Richmond, to the State, and to the bondholders. Personally the bondholders, both of the first and second mortgage, have more interest in it than any one else, for their security will be injured if the attempt is made to build the railroad; if the attempt is made to build the railroad, except for those who combine and buy the whole affair and take the dock, the basin, and the water-power for their debt.

As the subscription of the James River and Kanawha Company to this railroad by law limited to \$400,000 on a third mortgage, it is plain that next to nothing can be realized on bonds representing that amount, when the first and second mortgages pay so little interest and have so low a market value. And therefore if the railroad is built, it must be by money subscribed from other sources. That will make it an independent concern, which of course will look wholly to its own interests; and these points, interestingly to a connection with some other railroad, it cannot be helped, the railroad, the canal, and the best option is that this result is due to three causes: low through-rates, which they could not sustain; high local-rates, which have impoverished the plundered localities; and high salaries to too many officers. If long railroads have to be built, the rate of interest on the bonds, which can be expected in a road thirty-three miles long, with its corps of rail officials, its two transshipments, and its inability to get travel—for it starts from a way station and lands in a village—and its heavy expenditure for rolling-stock of the road, cannot expect to be able to roll-stock of the road, and Ohio railroad without paying the cost of these transshipments; and this gives the real, practical ownership of the line to that company, whose tender consideration for stockholders, bondholders, and local freighters is now a matter of record in the very remarkable decree of Judge Beverly H. McIlwain.

The only argument for the canal—and that one the railroad-men would not face last winter—is its cheapness of transportation, especially for such raw produce and heavy products as will form the staple of its trade; and this the railroad cannot give.

The Chesapeake and Ohio now transports coal from Clifton Forge—or Covington—to Richmond at three-quarters of a cent per ton per mile, or about \$1.50 per ton to Richmond. But the Buchanan and Clifton Forge, having, with its short line, to transport freight, cannot transport it for much less than 2 cents per ton per mile, say 60 cents; and as it has been shown that the canal cannot transport it for less than a cent per ton per mile, or 91 cents for its whole distance, that gives \$1.61 per ton total charge, or 11 cents per ton more than the Chesapeake and Ohio now charges.

For such reasons I am convinced that when the bondholders give up to this enterprise the franchises and half million of work done from Buchanan to Clifton Forge they really permit the railroad to enter a wedge which will drive their interests for the benefit of other people, and ultimately, whether they so intend or not, for the benefit of the Chesapeake and Ohio, the Baltimore and Ohio, or some other railroad. This, particularly if the line is carried to Lynchburg (which is suspected), will drive the canal along the tow-path or bed of the canal, may pay somebody, but not the bondholders, of the canal or the State of Virginia. It is the interest of the Buchanan and Clifton-Forge railway to run the bonds down, buy them for a song, appropriate the canal, and water-power, and run a railroad along the tow-path to Richmond, or at all between here and Lynchburg go down, to the great gain of Baltimore and of the Chesapeake and Ohio railroad, but to the great injury of this city.

What other object there was in the railroad project than to drive up the canal, thereby sacrificing all its interests, I could never say. This independent organization has derived all its strength and plausibility from the canal, claims that it will be built on credit, has laid its route surveyed by her money—amounting, by day, to \$100,000—has reduced the prices so low that every man has been in the interest—illegally taken from her creditors; and what little work has been done on the road has been mainly taken, and illegally as before, from her treasury; and all this when the James River and Kanawha Company has the chartered right to make their own canal, and to run it as they please, and to change unless it be to change the whole policy and substitute rail for water? I know that it is the wish of some of them, for they have told me so. And so intent are they on this favorite idea that they do not appear to see that they are sacrificing every interest in the canal in pursuit of their plan, and that they have acted in open contempt of the deliberate will of the Legislature, which I take it for granted will next winter have petitioned to say on that subject not only to the canal company, but to the Board of Public Works.

There is a patently on this subject in Richmond I do not deny. There is a disposition to speak of the canal as a bankrupt concern, and to blame the plan, and not its management. But I think the action of our City Council and our directors has shown that there is enough leaven to leaven the whole lump with the time comes. The great mismanagement which from the commencement has marked the administration of the canal, even in the most patriotic hands, is the result of a bad system. For forty-odd years the attempt has been made to build and run it on bureau principles, when, by law, it should have been managed on business principles. This is what ails the canal; and this the Legislature saw last winter, and would have corrected but for the inconsistent veto of the Governor. It remains to be seen whether the canal will belong to the Governor and the Board of Public Works or to the people of the whole State.

The Government.

We have received from all sides assurances that the people of Maryland and the Clinch Valley are in favor of any of the candidates for Governor before General Mahone. We think General Fitzhugh Lee is the coming man in our section.—*Clinch Valley News.*

The most remarkable book written in antagonism of the hypothesis of man's remote origin is that of Prof. H. S. Giddens, an anthropologist in Europe and America, and though vigorously attacked here and abroad, has not been successfully refuted. Professor Southall denies the vast antiquity of man, and affirms that there is no evidence of a human race existing in the world less than six or seven thousand years ago, and that stagnation and peat-beds are not necessarily very young in their formation.—*Augusta (Ga.) Chronicle.*

F. A. Clarke has been appointed Engineer of the Hot Springs, Arkansas, reservation.

DEATHS.
Died, April 23rd, at Shadwell, in the forty-fourth year of her age, Mrs. CHARLOTTE M. RAN-
DOLPH, widow of the late J. A. Randolph, Jr., formerly of this city, and formerly of the city of Washington. After a short illness she passed away peacefully, leaving behind her a husband and a family of five children. Her death carries a pang to the hearts of all who knew her. Long suffering and patient in all her afflictions, her death was a relief to her family. She was a devoted wife and mother, and her death is a great loss to her family. Her funeral will be held on Friday, May 11th, at 10 o'clock, at the residence of her son, Mr. J. A. Randolph, Jr., at Shadwell. Burial in the family vault.

Died, suddenly, in Prince Edward county, May 7, 1877, SUSAN FRANCIS, daughter of W. C. and Louisa F. Luck; aged seventeen years.

SPECIAL NOTICES.

COHEN BROTHERS
ARE SELLING BLACK SILKS
CHEAPER THAN THEY HAVE EVER BEEN
BEFORE.

PURE SILK GRAYS, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97, 99, 101, 103, 105, 107, 109, 111, 113, 115, 117, 119, 121, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175, 177, 179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 431, 433, 435, 437, 439, 441, 443, 445, 447, 449, 451, 453, 455, 457, 459, 461, 463, 465, 467, 469, 471, 473, 475, 477, 479, 481, 483, 485, 487, 489, 491, 493, 495, 497, 499, 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, 531, 533, 535, 537, 539, 541, 543, 545, 547, 549, 551, 553, 555, 557, 559, 561, 563, 565, 567, 569, 571, 573, 575, 577, 579, 581, 583, 585, 587, 589, 591, 593, 595, 597, 599, 601, 603, 605, 607, 609, 611, 613, 615, 617, 619, 621, 623, 625, 627, 629, 631, 633, 635, 637, 639, 641, 643, 645, 647, 649, 651, 653, 655, 657, 659, 661, 663, 665, 667, 669, 671, 673, 675, 677, 679, 681, 683, 685, 687, 689, 691, 693, 695, 697, 699, 701, 703, 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, 725, 727, 729, 731, 733, 735, 737, 739, 741, 743, 745, 747, 749, 751, 753, 755, 757, 759, 761, 763, 765, 767, 769, 771, 773, 775, 777, 779, 781, 783, 785, 787, 789, 791, 793, 795, 797, 799, 801, 803, 805, 807, 809, 811, 813, 815, 817, 819, 821, 823, 825, 827, 829, 831, 833, 835, 837, 839, 841, 843, 845, 847, 849, 851, 853, 855, 857, 859, 861, 863, 865, 867, 869, 871, 873, 875, 877, 879, 881, 883, 885, 887, 889, 891, 893, 895, 897, 899, 901, 903, 905, 907, 909, 911, 913, 915, 917, 919, 921, 923, 925, 927, 929, 931, 933, 935, 937, 939, 941, 943, 945, 947, 949, 951, 953, 955, 957, 959, 961, 963, 965, 967, 969, 971, 973, 975, 977, 979, 981, 983, 985, 987, 989, 991, 993, 995, 997, 999, 1001, 1003, 1005, 1007, 1009, 1011, 1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027, 1029, 1031, 1033, 1035, 1037, 1039, 1041, 1043, 1045, 1047, 1049, 1051, 1053, 1055, 1057, 1059, 1061, 1063, 1065, 1067, 1069, 1071, 1073, 1075, 1077, 1079, 1081, 1083, 1085, 1087, 1089, 1091, 1093, 1095, 1097, 1099, 1101, 1103, 1105, 1107, 1109, 1111, 1113, 1115, 1117, 1119, 1121, 1123, 1125, 1127, 1129, 1131, 1133, 1135, 1137, 1139, 1141, 1143, 1145, 1147, 1149, 1151, 1153, 1155, 1157, 1159, 1161, 1163, 1165, 1167, 1169, 1171, 1173, 1175, 1177, 1179, 1181, 1183, 1185, 1187, 1189, 1191, 1193, 1195, 1197, 1199, 1201, 1203, 1205, 1207, 1209, 1211, 1213, 1215, 1217, 1219, 1221, 1223, 1225, 1227, 1229, 1231, 1233, 1235, 1237, 1239, 1241, 1243, 1245, 1247, 1249, 1251, 1253, 1255, 1257, 1259, 1261, 1263, 1265, 1267, 1269, 1271, 1273, 1275, 1277, 1279, 1281, 1283, 1285, 1287, 1289, 1291, 1293, 1295, 1297, 1299, 1301, 1303, 1305, 1307, 1309, 1311, 1313, 1315, 1317, 1319, 1321, 1323, 1325, 1327, 1329, 1331, 1333, 1335, 1337, 1339, 1341, 1343, 1345, 1347, 1349, 1351, 1353, 1355, 1357, 1359, 1361, 1363, 1365, 1367, 1369, 1371, 1373, 1375, 1377, 1379, 1381, 1383, 1385, 1387, 1389, 1391, 1393, 1395, 1397, 1399, 1401, 1403, 1405, 1407, 1409, 1411, 1413, 1415, 1417, 1419, 1421, 1423, 1425, 1427, 1429, 1431, 1433, 1435, 1437, 1439, 1441, 1443, 1445, 1447, 1449, 1451, 1453, 1455, 1457, 1459, 1461, 1463, 1465, 1467, 1469, 1471, 1473, 1475, 1477, 1479, 1481, 1483, 1485, 1487, 1489, 1491, 1493, 1495, 1497, 1499, 1501, 1503, 1505, 1507, 1509, 1511, 1513, 1515, 1517, 1519, 1521, 1523, 1525, 1527, 1529, 1531, 1533, 1535, 1537, 1539, 1541, 1543, 1545, 1547, 1549, 1551, 1553, 1555, 1557, 1559, 1561, 1563, 1565, 1567, 1569, 1571, 1573, 1575, 1577, 1579, 1581, 1583, 1585, 1587, 1589, 1591, 1593, 1595, 1597, 1599, 1601, 1603, 1605, 1607, 1609, 1611, 1613, 1615, 1617, 1619, 1621, 1623, 1625, 1627, 1629, 1631, 1633, 1635, 1637, 1639, 1641, 1643, 1645, 1647, 1649, 1651, 1653, 1655, 1657, 1659, 1661, 1663, 1665, 1667, 1669, 1671, 1673, 1675, 1677, 1679, 1681, 1683, 1685, 1687, 1689, 1691, 1693, 1695, 1697, 1699, 1701, 1703, 1705, 1707, 1709, 1711, 1713, 1715, 1717, 1719, 1721, 1723, 1725, 1727, 1729, 1731, 1733, 1735, 1737, 1739, 1741, 1743, 1745, 1747, 1749, 1751, 1753, 1755, 1757, 1759, 1761, 1763, 1765, 1767, 1769, 1771, 1773, 1775, 1777, 1779, 1781, 1783, 1785, 1787, 1789, 1791, 1793, 1795, 1797, 1799, 1801, 1803, 1805, 1807, 1809, 1811, 1813, 1815, 1817, 1819, 1821, 1823, 1825, 1827, 1829, 1831, 1833, 1835, 1837, 1839, 1841, 1843, 1845, 1847, 1849, 1851, 1853, 1855, 1857, 1859, 1861, 1863, 1865, 1867, 1869, 1871, 1873, 1875, 1877, 1879, 1881, 1883, 1885, 1887, 1889, 1891, 1893, 1895, 1897, 1899, 1901, 1903, 1905, 1907, 1909, 1911, 1913, 1915, 1917, 1919, 1921, 1923, 1925, 1927, 1929, 1931, 1933, 1935, 1937, 1939, 1941, 1943, 1945, 1947, 1949, 1951, 1953, 1955, 1957, 1959, 1961, 1963, 1965, 1967, 1969, 1971, 1973, 1975, 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1995, 1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011, 2013, 2015, 2017, 2019, 2021, 2023, 2025, 2027, 2029, 2031, 2033, 2035, 2037, 2039, 2041, 2043, 2045, 2047, 2049, 2051, 2053, 2055, 2057, 2059, 2061, 2063, 2065, 2067, 2069, 2071, 2073, 2075, 2077, 2079, 2081, 2083, 2085, 2087, 2089, 2091, 2093, 2095, 2097, 2099, 2101, 2103, 2105, 2107, 2109, 2111, 2113, 2115, 2117, 2119, 2121, 2123, 2125, 2127, 2129, 2131, 2133, 2135, 2137, 2139, 2141, 2143, 2145, 2147, 2149, 2151, 2153, 2155, 2157, 2159, 2161, 2163, 2165, 2167, 2169, 2171, 2173, 2175, 2177, 2179, 2181, 2183, 2185, 2187, 2189, 2191, 2193, 2195, 2197, 2199, 2201, 2203, 2205, 2207, 2209, 2211, 2213, 2215, 2217, 2219, 2221, 2223, 2225, 2227, 2229, 2231, 2233, 2235, 2237, 2239, 2241, 2243, 2245, 2247, 2249, 2251, 2253, 2255, 2257, 2259, 2261, 2263, 2265, 2267, 2269, 2271, 2273, 2275, 2277, 2279, 2281, 2283, 2285, 2287, 2289, 2291, 2293, 2295, 2297, 2299, 2301, 2303, 2305, 2307, 2309, 2311, 2313, 2315, 2317, 2319, 2321, 2323, 2325, 2327, 2329, 2331, 2333, 2335, 2337, 2339, 2341, 2343, 2345, 2347, 2349, 2351, 2353, 2355, 2357, 2359, 2361, 2363, 2365, 2367, 2369, 2371, 2373, 2375, 2377, 2379, 2381, 2383, 2385, 2387, 2389, 2391, 2393, 2395, 2397, 2399, 2401, 2403, 2405, 2407, 2409, 2411, 2413, 2415, 2417, 2419, 2421, 2423, 2425, 2427, 2429, 2431, 2433, 2435, 2437, 2439, 2441, 2443, 2445, 2447, 2449, 2451, 2453, 2455, 2457, 2459, 2461, 2463, 2465, 2467, 2469, 2471, 2473, 2475, 2477, 2479, 2481, 2483, 2485, 2487, 2489, 2491, 2493, 2495, 2497, 2499, 2501, 2503, 2505, 2507, 2509, 2511, 2513, 2515, 2517, 2519, 2521, 2523, 2525, 2527, 2529, 2531, 2533, 2535, 2537, 2539, 2541, 2543, 2545, 2547, 2549, 2551, 2553, 2555, 2557, 2559, 2561, 2563, 2565, 2567, 2569, 2571, 2573, 2575, 2577, 2579, 2581, 2583, 2585, 2587, 2589, 2591, 2593, 2595, 2597, 2599, 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2631, 2633, 2635, 2637, 2639, 2641, 2643, 2645, 2647, 2649, 2651, 2653, 2655, 2657, 2659, 2661, 2663, 2665, 2667, 2669, 2671, 2673, 2675, 2677, 2679, 2681, 2683, 2685, 2687, 2689, 2691, 2693, 2695, 2697, 2699, 2701, 2703, 2705, 2707, 2709, 2711, 2713, 2715, 2717, 2719, 2721, 2723, 2725, 2727, 2729, 2731, 2733, 2735, 2737, 2739, 2741, 2743, 2745, 2747, 2749, 2751, 2753, 2755, 2757, 2759, 2761, 2763, 2765, 2767, 2769, 2771, 2773, 2775, 2777, 2779, 2781, 2783, 2